BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of

Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band	PS Docket No. 06-229
Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010	WT Docket No. 96-86

COMMENTS OF THE MISSOURI STATE HIGHWAY PATROL ON THE NINTH NOTICE OF PROPOSED RULEMAKING AND THE PROPOSAL OF THE FEDERAL COMMUNICATIONS COMMISSION FOR THE IMPLEMENTATION OF A NATIONWIDE BROADBAND INTEROPERABLE PUBLIC SAFETY NETWORK IN THE 700 MHZ BAND.

Introduction

The MSHP applauds the Commission for introducing this NPRM and addressing public safety's future communications needs with today's regulatory decisions and agree that a new paradigm must be created for public safety to further its interoperable goals, develop broadband data capabilities to meet its next-generation needs while acknowledging future restrictions whether they be fiscal, political or spectral in nature. In this filing, we intend to provide the Commission with the perspective of users in the field and those that have experience and have been involved in spectrum management at the state level. The MSHP has long sponsored a Missouri Local Advisor to perform local frequency coordination duties for the Association of Public Safety Communications Officials (APCO) and been intimately involved in regional planning of 700 and 800 MHz.

Based on this experience of supporting Missouri's public safety community through spectrum management, we propose alternative methods as to how goals outlined by the Commission can be met in reasonable time frames while building on the concepts originated in the NPRM and addressing broadband

public safety implementation, interoperability and the cost effective solutions necessary for both to ensure public safety's future. In these comments, we consider the needs of the nation's public safety community as it exists in urban, suburban and rural settings each with their distinctive interoperable needs as they work to reach the capabilities desired to today and that will become necessary tomorrow. We also recognize the many requirements and conditions that agencies face when planning communication initiatives and that those agencies, due to disparate conditions agencies face, do not all evolve and accept new technologies at the same rate. We feel the comments below will assist the Commission in arriving at guidelines that can realistically and more effectively meet the public safety goals as outlined in the NPRM. We thank the Commission for issuing the NPRM and fostering this necessary discussion within the public safety community.

Missouri State Highway Patrol

The Missouri State Highway Patrol (MSHP) has been in existence since 1931 and the organization has been actively involved in providing a means of radio communications to its members since shortly after its inception. The MSHP retains some of the longest continuously held Commission authorizations in the nation and have long been involved in regulatory issues that effect public safety communications in Missouri. The MSHP has been an active participant in the Association of Public Safety Communications Officials, Inc. (APCO) since that association's inception in St Louis, Missouri in 1935 and continues to be active in that organization today with regard to issues focusing on operational communications center standards as well as spectrum management and public safety frequency coordination activities. In addition, the MSHP has promoted its employees involvement in the National Coordination Committee (NCC) as established by the Commission to identify the rules and implement the manner in which public safety envisioned its use

of the 700 MHz band. MSHP communications personnel participated and chaired Working Groups in the NCC so their reflection as to the intent of the Committee and its participants is first hand. Today, the Patrol continues to participate nationally in the Commission's regulatory process in past issues such as Refarming below 512 MHz, 800 MHz re-banding, Broadband Over Power Line as well as today's current 700 MHz dialogue representing our agency as well as in conjunction with Missouri's public safety community. We thank the Commission for taking the bold steps and asking the difficult questions regarding public safety communications for today and tomorrow which are included in the Ninth NPRN and we look forward to a continued dialogue on these important issues.

Executive Summary

The MSHP is familiar with the history of this and related proceedings and its personnel have filed comments with the Commission on multiple issues from the MSHP or have participated in the filing of comments by the Region 24 700 MHz Regional Planning Committee outlining their position on what the future holds for public safety in its use of the 700 MHz public safety allocation. In this Ninth NPRM, the Commission proposes several conclusions and seeks comment on the following:

"Allocate 12 MHz of the 700 MHz of the public safety allocation from wideband to broadband use"

"Assign this spectrum nationwide to a single national public safety broadband licensee"

"Permit the national public safety broadband licensee also to operate on a secondary basis on all other public safety spectrum in the 700 MHz band"

"Permit the licensee to use its assigned spectrum to provide public safety entities with public safety broadband service on a fee for service basis"

"Permit the licensee to provide unconditionally preemptible access to its assigned spectrum to commercial service providers on a secondary basis"

"Facilitate the shared use of Commercial Mobile Radio Service (CMRS) infrastructure for the efficient provision of public safety broadband service"

"Establish performance requirements for interoperability, build-out, and preemptibility of commercial access and system robustness."

The MSHP, with its history of supporting spectrum management in Missouri, see the Commission's NPRM as an opportunity to provide public safety with direction in its future 700 MHz implementations. By creating a national

licensee to serve as an enabling entity, the Commission can ensure that public safety will have the opportunity to seek guidance and maximize the opportunities available to them in real time whether they be partnerships with wireless carriers or participating in initiatives jointly and sharing resources with other public safety entities in order to meet the capabilities necessary to effect sufficient communications within their community. For too long public safety agencies have been required to operate independently within the Commission's rules often without the benefit or complete knowledge as to what implications their actions had on surrounding agencies.

With the implementation of some of the concepts recommend by the Commission, public safety entities can enter into decisions regarding its future communications capabilities with more information than before which could accomplish several tasks: It could increase opportunities for public safety in areas of system coverage and system costs, with more information available to decision makers it could increase the interoperable quotient between neighboring agencies, it could allow neighboring jurisdictions to jointly develop common parameters in their system design and such collaboration could introduce the concept of cost savings in public safety network and subscriber units by the proliferation of commercial off the shelf voice and data devices in the public safety mission.

As an agency seeking solutions to communications challenges on a day-day basis in the midst of rapidly changing technologies, the MSHP realizes that many private entities capitalize daily on promoting disparity between public safety users within a community as at times it is in the best interest of a private entity best for a solution to be introduced that differs from existing technologies from competing interests. The MSHP recognizes that while the business model of some competing private interests may find it necessary to introduce at times non-interoperable solutions within a community, individual public safety agencies within communities can be better served with a National Licensee that can represent these agencies from a spectrum management perspective and work to minimize the impact private competing interests can contribute to the addition of non-interoperable system and technological characteristics while promoting the concept of seamless functionality in today's fractured public safety community.

Along the same lines, consultancies that today represent public safety interests might assert the introduction of a national licensee will impair their abilities to provide services for their clients by having to interface and negotiate with an entity that manages 700 MHz spectrum on a regional or wide area basis. Today, manufacturers and consultancies are paid to represent a specific agency and look out for the best interest of their client and they may feel that the process that exists today will be inhibited by the

introduction of a national licensee. The MSHP feels that such a national licensee is necessary and that a continuing dialogue should take place between the public safety community and its representatives to ensure that an agencies representation continues by private consultancies within the scope of the national licensee's national broadband strategy.

Lastly, communications technology is rapidly changing. Public safety wireless needs, due to their share of the marketplace and their more stringent requirements when compared to commercial providers, have lagged behind commercial wireless technological advancement by several years. The Broadband Optimization Plan, as proposed by Access Spectrum and Pegasus Inc. Guard Band Licensees, positions public safety's wideband data spectrum in a favorably lending itself to greater sharing opportunities between public safety and commercial wireless providers and provides additional spectrum within the 700 MHz band for public safety and other non-cellular land mobile users, such as the Critical Infrastructure community. Before the 700 MHz band becomes more developed by the public safety community, the MSHP requests the Commission review this proposal in a timely manner and provide some guidance to the public safety community with regard to the structure of the 700 MHz band plan.

Ironically, the DTV slow pace of the transition has provided the public safety community an extraordinary opportunity to return to its initial band plan as developed by the National Coordination Committee and adjust it to represent the lessons learned since 2001 and technological advancements that have occurred in the interim along with identifying how today's technologies can best be represented efficiently within the band plan. We urge the Commission to adopt the Broadband Optimization Plan soon to best prepare public safety and any subsequent national licensee for the next generation of public safety communications capabilities and applications.

Some of these new technological advancements in land mobile radio are being led by the same private interests that have historically provided equipment and system design to public safety users. Software Defined and Cognitive Radio advancements, along with broadband technologies that utilize aggressive frequency re-use mechanisms, are changing the face of communications in the wireless industry and public safety deserves accelerated access to these technologies and the benefits they bring more expeditiously than they have been able to in the past. While public safety's requirements are more stringent and widespread than that of commercial wireless carriers, there are still applications fine-tuned in the commercial wireless industry that will be applicable to public safety needs. The determining factor as to the effectiveness of these capabilities and

applications should rest with the local and regional users. The introduction of a national licensee and the promise of public safety and commercial partnerships can allow public safety to perhaps more quickly adapt and utilize technological advancements to deploy the applications necessary for public safety entities to complete their mission.

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1. THE COMMISSION SHOULD ASSIGN A NATIONAL LICENSEE TO OVERSEE THE 12 MHZ OF 700 MHZ PUBLIC SAFETY DATA ALLOCATION.

The Commission should allocate 12 MHz of public safety 700 MHz spectrum to a national licensee charged with developing regional and national data requirements and connectivity to promote communications interoperability and effectiveness with each regional planning community. The Commission should also work with the national licensee and the public safety community to explore new broadband technologies and spectrum practices currently utilized by the Commercial Mobile Radio Service (CMRS) that result in a more efficient overall use of spectrum and develop methods of implementing these spectrum efficiencies into their operations. With few regional planning committees including wideband data spectrum into their regional plans as submitted to the Commission, it is apparent that the public safety community is challenged by the factors that surround the implementation of this new spectrum and is hesitant to move forward with data communications initiatives without assurances that the technology instituted will not be outdated upon completion of system implementation.

A national licensee of the 12 MHz of data public safety spectrum in the 700 MHz band is the best method of promoting and implementing public safety's next

generation communications needs. While many indicate that 12 MHz of 700 MHz spectrum is insufficient with regard to public safety's needs, and while less spectrum available for use in a public private partnership will always be less attractive than more of the same spectrum, no one today can intelligently say how much 700 MHz spectrum is necessary to meet public safety's needs. With new technologies come new spectrum use conditions and today's broadband technologies are providing some robust frequency re-use mechanisms and subsequently public safety can no longer rely on legacy frequency coordination conditions when determining what is enough spectrum necessary to meet public safety's needs. As the convergence of voice and data systems continues, public safety must also recognize that the use of individual narrow channelized systems for voice will, at some point in the future, be deemed an inefficient use of spectrum when compared to channels aggregated to provide broadband capabilities, including voice applications. While this transition will take place in the future, it is important the recognize that public safety agencies will migrate to this new environment on a agency by agency or region by region basis and such a transition will be accomplished over many years. It is crucial that this sensitive shift in operating practice takes place with a national oversight body in place that can provide public safety with guidance during this transition to ensure that the benefits of efficient systems are realized and planned for by public safety. It is apparent that an oversight body needs to be established to look at the national scope of next generation public safety networks and determine public safety's best path for success, which is determined by the satisfactory implementation of communications systems that meet the needs of the end users.

2 THE IMPLEMENTATION OF A NATIONWIDE INTEROPERABLE PUBLIC SAFETY BROADBAND NETWORK MUST BE PRECEDED BY THE CREATION OF A NATIONWIDE INTEROPERABLE PUBLIC SAFETY NETWORK.

In looking to a national licensee to shepherd public safety's development of consistently interoperable next generation networks and broadband implementation, the national licensee concept can look to the National Law Enforcement Telecommunications System (NLETS) system as an example of how a national need was met by allowing a single entity to coordinate the sharing of each states driver license and motor vehicle records without necessarily requiring each state to radically alter its own internal operation. A state control point was established in each participating state that allowed connectivity between its control point and the NLETS Phoenix AZ switching center. This allowed out of state inquiries originating from within each state a path for which to inquire on the internal databases of another state through the NLETS switch. A law enforcement officer in St Louis, Missouri can inquire on a driver's record from a resident of the State of Minnesota and the information can be obtained through the Missouri and Minnesota control points via the NLETS switching center.

In this instance, the switching center did not require each state to develop systems with common physical characteristics for their driver and vehicle information but standardized the format in which NLETS could facilitate the sharing that could take place between agencies from different states. Note how each state did not have to conform to a common internal network development practice but had to only conform to the standard at the control point so the system could transport data

between states in a common format. This same approach can be utilized today to support a nationwide public safety network using IP technology and identifiers with local systems in each state connecting to a common control point where the output product of the of the wide area network is standardized at the network layer rather than at the physical layer of the Open System Interconnection (OSI) model rather than require the public safety systems in each state to standardize. In this scenario, a national public safety network can be developed that delivers the operability necessary for its community for both voice and data networks using technology that best suits their needs while the output of those systems are standardized at the network level rather than at the physical level of each device.

It is these "network layer technologies" that allows users of today's cellular systems national roaming with disparate devices operating in multiple frequency bands to communicate with each other. There is no expectation by the network that two users will have any physical commonalities between the equipment used and it relies on the interoperability inherent in the network to accommodate for any physical disparities of the user equipment. A public safety national data network initiative can borrow from this approach and begin to emphasize network based connectivity and the interoperable benefits inherent in the technology for voice and data. While many agencies in other bands today do not enjoy a large degree of connectivity in their existing public safety systems and operate conventional systems with little or no connectivity between sites, 700 MHz is a band which will see a greater degree of trunked radio systems being developed and we must be sure to include network connectivity as a benefit to encourage and promote increased development of 700 MHz public safety systems. Such systems can provide sufficient

voice and next generation data capabilities while accommodating multiple bandwidths and data rates, recognizing that public safety agencies will migrate to broadband capabilities at their own pace.

3 THE NATIONAL LICENSEE SHOULD FACILITATE AND NEGOTIATE PUBLIC PRIVATE PARTNERSHIPS.

With the scope of the NPRM as issued by the Commission, the national licensee would have the authority to enter into spectrum lease arrangements in which excess capacity from public safety systems could be leased to commercial service providers on an unconditionally preemptible basis. This national licensee's ability to share public safety spectrum with commercial service providers could lead to providing valuable resources and capabilities to public safety entities with regard to their data capabilities. Many public safety agencies today utilize commercial service to meet their internal data needs on a subscriber basis and others develop their own internal public safety data systems. Perhaps the national licensee can accelerate the introduction of a new paradigm offered to public safety for data needs, one in which public safety and commercial wireless providers "partner" to provide new services within a community in a relationship fostered and nurtured by the national licensee.

The sharing of infrastructure, connectivity, and spectrum within a community to meet the user needs of both public safety and commercial wireless users with preemptive conditions will ensure that public safety spectrum will be available to public safety when needed. In such an arrangement the commercial users device will be cognitive and will know when and where to exploit unused public safety spectrum when it exists. This can result in a win-win proposition for public safety.

Public safety should also be permitted to develop their own data systems utilizing narrow, wideband or broadband spectrum under the national licensee as long as the applicant provides the national licensee a time frame in which they plan on migrating their current data capabilities to the broadband standard capabilities as defined by the national licensee and the applicant recognizes the national licensee's long term charge of implementing a nationwide broadband network. The national licensee should establish an education and outreach mechanism that provides state and local outreach in conjunction with the fifty-five (55) regional planning committees advising of spectrum use in regions and promoting a dialogue between public safety and, where desired by public safety, the commercial wireless industry in each community.

Costs associated with the national licensee would have to be derived from some as yet unidentified funding source, but federal and state initiatives, including the Department of Homeland Security, have previously funded initiatives with less interoperable potential than the introduction of a national licensee to oversee and ensure that 700 MHz public safety implementations have a minimum interoperable quotient. While the operating costs for such a licensee should consist of revenues from shared partnerships with commercial wireless entities where applicable plus federal government support of ongoing interoperable initiatives, the development of interoperability within the public safety community and the national licensee concept as proposed by the Commission holds the best chance for the development of a national interoperable network.

4 THE NATIONAL LICENSEE SHOULD ENGAGE IN A REGULAR DIALOGUE WITH THE COMMISSION DESIGNATED 700 MHZ REGIONAL PLANNING COMMITTEES.

Among the Commission's requirements for a national licensee, the Commission should mandate that the national licensee participate in a regular dialogue with each regions regional planning committee on their current and future spectrum needs. In order to maximize the 700 MHz public safety allocations, the national licensee should be aware of the initiatives ongoing in each region. While this dialogue can lead to more efficient and effective implementations, it can also lead to agencies having their needs met on a more efficient basis by sharing resources with other neighboring agencies with common needs. Should local agencies desire to partner with commercial wireless entities in spectrum sharing arrangements to expedite the development of their broadband capabilities, these partnerships should be negotiated with a regular dialogue existing between the commercial interest and the party requesting the sharing arrangement. It is possible that in some communities other nearby agencies will have the desire to develop their own broadband systems with the same spectrum identified in the commercial sharing arrangement. Mitigating this type of local dispute where there is only sufficient spectrum to meet the needs of one party is what the national licensee should be required to do: manage the spectrum with the

public safety community's best interest in mind and decide in which application will the spectrum be utilized in the best interest of public safety. If the agency requesting spectrum sharing with commercial users was only supporting fifty (50) public safety users and the independent public safety entities that also desired to utilize the spectrum for their own internal broadband data system provided service to five-hundred users (500), than the national licensee should allow the internal system to be implemented along the guidelines established to promote the eventual nationwide broadband data strategy.

5 THE NATIONAL LICENSEE WILL BE CRITICAL IN ASSISTING PUBLIC SAFETY ENTITIES IN IDENTIFYING AND MEETING THEIR BROADBAND DATA NEEDS.

Fees should be required from agencies that require the services of the national licensee. In many instances, the costs associated with the national licensee would likely be less than the savings that the national licensee could provide in sharing opportunities to the applicant whether they are with commercial or other public safety interests. It is possible the applicant sharing with commercial wireless carriers as negotiated by the national licensee will be spending less for more coverage than they were capable of when they subscribed to the same commercial wireless product. The national licensee should be supported by a combination of fees paid by the wireless carriers for access to public safety spectrum as negotiated by the national licensee, federal government grant funding that promotes public safety nationwide data network development and user fees paid for by public

safety users who have had their data interoperability and capabilities expanded by the national licensee and the wideband 700 MHz data spectrum.

The arrangements outlined above might be the most cost effective method of introducing the benefits of wireless data to public safety on a nationwide basis and harnessing a communities initiatives to ensure the most efficient and cost effective deployment of next generation technologies to support the public safety applications of tomorrow.

6 THE NATIONAL LICENSEE SHOULD NOT HAVE THE AUTHORITY TO OPERATE ON THE 700 MHZ NARROWBAND ALLOCATION.

The Commission should not require the regional planning committees to abdicate their authority identifying and assisting in the implementation of 700 MHz public safety systems. In working to better define public safety's needs on a local, regional and national basis, the national licensee should have a desire to utilize the expertise in place at the local level within the Commission designated regional planning committees and work with those committees in their public safety support. By utilizing these regional planning committees as a resource, the national licensee can oversee wide area policy down to the agency level taking into account current voice and data needs and how those systems can migrate to the identified national broadband strategy.

Secondary use of the 700 MHz narrowband channels should not be a priority of the national licensee nor should they have the authority to implement such secondary use but the national licensee should be aware of the development of 700 MHz narrowband voice systems and low speed data systems in each region. While current technologies do not exist to effectively offer secondary use of this spectrum to non-primary users, the technology might one day arrive that offers the capabilities of secondary users accessing the spectrum when not utilized by primary users without the possibility of contributing any interference to primary use of the band. An example of the technical requirements that could create such an environment could be an instance where the coupled power of any device accessing channels on a secondary basis cannot exceed -126 dBm within 6 feet of a primary use co-channel receiver." Basically, while the distance between primary and secondary devices is still a considerable variable in question in this discussion, this condition would require any secondary operation to rest firmly in the noise floor of the primary system. Given that, public safety primary users would be unaware that secondary use is occurring in the band.

In addition, such cognitive devices should also be capable of being prohibited from accessing certain channels all together on a secondary basis, including those currently licensed and used in existing systems within a region, particularly trunked radio systems. At no time should a channel being

utilized in a trunked radio system be subject to the possibility of secondary interference. Further, each secondary device should be equipped with Global Positioning System (GPS) receivers to ensure the location of the device and have access to tables from the Commission's database and others ensuring licensed existing, developed systems are protected. The secondary use should initially be left to channel blocks that are unused with a region and secondary devices seeking broadband capabilities, which utilizes considerably more channels than traditional public safety voice systems, should not be permitted without the written concurrence of a regions 700 MHz regional planning committee and its user members. Since the capabilities outlined above do not technically exist today, we feel secondary use on the 700 MHz narrowband channels by anyone, including the national licensee, should be prohibited until assurances can be provided that secondary use will not impede the development of 700 MHz mission critical voice systems on the narrowband spectrum.

6 **THE NATIONAL LICENSEE SHOULD ALSO PERMIT PUBLIC SAFETY AGENCIES TO IMPLEMENT BROADBAND SYSTEMS AND INITIATIVES INDEPENDENT OF ANY COMMERCIAL INTERESTS AS LONG AS THE IMPLEMENTATION STRATEGY IS IN CONCERT WITH THE NATIONAL LICENSEE'S LONG-TERM PUBLIC SAFETY NATIONAL BROADBAND MPLEMENTATION STRATEGY.**

The development of a national public safety network can contribute wide area interoperability for both voice and data and should be a priority for the national licensee. The national licensee should be aware that combined with the fact that public safety agencies do not address technology issues within

the same time frame or in the same manner, public safety agencies have different needs in different areas. The national licensee's first responsibility should be connecting agencies together at the network level to ensure that despite their disparate throughput capabilities a baseline data capability could be developed that would be the beginning of a national broadband network. This nationwide public safety data network would be the precursor to the national public safety broadband network with consideration for the nation's public safety agencies and regions to ensure they arrive at broadband capabilities at a time frame agreed upon by the national licensee. System characteristics such as the number of users being serviced on the system using public safety spectrum, how many independent public safety agencies are participating on this independent network and the subsequent interoperable capabilities that will result and how participating agencies understand that their current use must migrate to an eventual broadband solution as identified by the national licensee should be taken into consideration by the national licensee when discerning whether spectrum should be allocated to public safety only partnerships or shared partnerships with public safety and commercial wireless carriers.

7 THE NATIONAL LICENSEE SHOULD TAKE INTO ACCOUNT THAT THE SERVICES IT PROVIDES TO PUBLIC SAFETY CAN LEVERAGE EXISTING COMMERCIAL CMRS INFRASTRUCTURE

A national licensee overseeing public safety wide area broadband development can facilitate the cost effective implementation by leveraging

existing commercial infrastructure by advocating partnerships between public safety system designers and their commercial counterparts. . In addition, existing commercial systems can also benefit from the introduction of public safety infrastructure, where applicable, to the system thereby increasing the service area for all users. To ease the introduction of long term partnerships in the future between public safety and Commercial Mobile Radio Service providers on an interim basis until a nationwide, ubiquitous technology can be identified for broadband implementation. If during the transition to the defined public safety wireless technology 700 MHz shared use can be implemented in a flexible manner, public safety can utilize existing national wireless networks operating across the country and allowing for public safety users to be identified based on a nationwide network of "IP" enabled, adaptive devices.

For example, a fire department from Miami may have a partnership with a CMRS provider in their home community that utilizes a certain technology and the department uses hardware associated hardware consistent with the generation of broadband product currently offered by the CMRS provider in Miami. A fire dept in Chicago may also be engaged in a partnership with a CMRS provider in the Chicago area that is currently utilizing a broadband technology that differs from the technology being used in Miami. As long as the device is adaptive and capable of modifying its parameters to both

technologies consistent with characteristics identified by the national licensee in their broadband public safety strategy, users should be able to move seamlessly between regional systems of differing broadband technologies utilizing the public safety 700 MHz band. Using a consistent nationally recognized IP address across partnerships with wireless carriers similar to the roaming capabilities associated with today's cellular industry is a goal that can provide returns when first responders travel across the country to lend assistance to local responders after critical incidents and during recovery operations. A local network, if partnering with local 700 MHz in that community can upon arrival can quickly identify these users. Under this arrangement, each community may or may not implement the same broadband technology and public safety users could roam between systems with adaptive devices on a national public safety network, or "intra-net".

8 **THE NATIONAL LICENSEE CAN OVERSEE AND PROVIDE OVERSIGHT AS TO THE METHOD OF 700 MHZ PUBLIC SAFETY IMPLEMENTATION THAT NOT ONLY ADHERES TO THE COMMISSIONS RULES, BUT MAXIMIZES THE EFFICIENCY OF THE BAND AND SURES EFFECTIVE DEPLOYMENT.**

The national licensee should acknowledge that public safety agencies operate different voice and data wireless systems for a reason. There are many reasons why independent, disparate systems have a tendency to prosper, including independent agency fiscal limitations, the hesitance for

many agencies to share financing on regional communications initiatives, political considerations that make it difficult for agencies to share resources that could result in lower cost implementations for both parties, the lack of spectrum, differing service areas etc. The national licensee needs to understand that nationally, public safety agencies of different sizes and responsibilities with disparate demographics will take different paths to meeting their communications needs.

9. **In closing, the Communications Division of the Missouri State Highway Patrol thanks the Commission for allowing input from the user community on these important matters. With regard to the selection of a national licensee, the MSHP encourages the Commission to look to the Association of Public Safety Communications Officials Inc. (APCO) for this role. APCO has been the leader in public safety spectrum management for over 70 years and the MSHP feels that its outreach into the community through long term relationships with regional planning committees and its network of local advisors provide it a unique perspective and makes it properly suited to meet the challenges outlined by the Commission in this Ninth NPRM. We look forward to working with the Commission on this and future endeavors.**

Regards,

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